

## THIRTY-FIFTH DAY.

(Continued.)

(Thursday, March 3, 1921.)

The House met at 9:30 o'clock a. m. and was called to order by Speaker Thomas.

## HOUSE BILL NO. 371 WITH SENATE AMENDMENTS.

Mr. Burmeister called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 371, A bill to be entitled "An Act to create and establish the county of Kenedy out of territory taken from the existing counties of Cameron and Hidalgo; prescribing its area and boundaries; appointing commissioners to organize said county and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for the holding of county and precinct elections for the election of county and precinct officers, and for the location of the county seat of said county; providing for the attaching of said county to the judicial, representative, senatorial and congressional districts, and supreme judicial districts; providing for the assessment and collection of taxes, for the defraying of the expenses of organizing said county and for the payment of the proportion of the liabilities of the counties of Cameron and Hidalgo, chargeable, respectively, on the territory taken from them; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

On motion of Mr. Burmeister, the House concurred in the Senate amendments.

Mr. Burmeister moved to reconsider the vote by which the House concurred in the Senate amendments, and to table the motion to reconsider.

The motion to table prevailed.

## HOUSE BILL NO. 26 WITH SENATE AMENDMENTS.

Mr. Horton called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 26, A bill to be entitled "An Act to regulate and supervise the sale and purchase in the State of Texas of stocks, stock certificates, bonds, debentures or other securities, and the

transaction of business in this State of persons, joint stock companies, common law trusts, co-partnerships, companies or other persons or organizations offering for sale in this State such securities excepting companies incorporated under the laws of the State of Texas, and declaring an emergency."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Horton moved that the House do not concur in the Senate amendments, and that a free conference committee be requested to adjust the differences between the two houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following free conference committee on the part of the House:

Messrs. Horton, West, Johnson of Wichita, Martin and Pollard.

## REQUESTING RETURN OF HOUSE BILL NO. 324 FROM GOVERNOR.

The Speaker laid before the House, for consideration at this time,

S. C. R. No. 21, Requesting return of House bill No. 324 from Governor.

Be it resolved by the Senate, the House concurring, That the Governor and the Secretary of State be requested to return to the Senate, House bill No. 324, for further consideration by the Senate, the same being a local school bill.

The resolution was read second time and was adopted.

## HOUSE JOINT RESOLUTION NO. 23 ON SECOND READING.

On motion of Mr. Bryant, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. J. R. No. 23, Providing for the amendment to Article III of the Constitution of the State of Texas, by adding thereto Section 59, authorizing the State of Texas to appropriate money from the general revenue and issue bonds and to lend its credit for the purpose of constructing and maintaining terminal fireproof warehouses and grain elevators at the ports of Texas for the storage of the products of the farm, ranch and orchard, and for loading for shipment for water transportation; and authorizing counties adjoining, or any defined district within the State to issue its bonds for the elevator, cold storage and curing plants and any other buildings desir-

able for the storage and conservation of the products of the farm, ranch and orchard.

The Speaker laid the resolution before the House, and it was read second time.

On motion of Mr. Bryant, the resolution was laid on the table subject to call.

#### BILLS ORDERED NOT PRINTED.

On motion of Mr. Bonham, it was ordered that Senate bill No. 41 be not printed.

On motion of Mr. Thompson of Red River, it was ordered that Senate bill No. 110 be not printed.

On motion of Mr. Rogers of Shelby, it was ordered that Senate bills Nos. 198 and 215 be not printed.

On motion of Mr. Fly, it was ordered that House bill No. 571 be not printed.

On motion of Mr. Sneed, it was ordered that Senate bill No. 163 be not printed.

On motion of Mr. Thomason, it was ordered that House bill No. 566 be not printed.

#### HOUSE BILL NO. 132 WITH SENATE AMENDMENTS.

Mr. Hall called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 132, A bill to be entitled "An Act to amend Chapter 85 of the Acts of the Regular Session of the Thirty-third Legislature, entitled 'An Act to provide the mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in subdivisions of Harris county, and repealing all laws in conflict herewith, and declaring an emergency.'"

The Speaker laid the bill before the House and the Senate amendments were read.

On motion of Mr. Hall, the House concurred in the Senate amendments.

#### HOUSE BILL NO. 243 ON THIRD READING.

On motion of Mr. Merriman, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 243, A bill to be entitled "An Act to amend Section 2, Section 26, of Chapter 48, of the General Laws of the First and Second Called Sessions of the Thirty-sixth Legislature of the State of Texas, so as to provide for and make definite the right to include

all or part or more than one political subdivision of the State of Texas, within fresh water supply districts at their organization and to limit the issuance of bonds by such district, and declaring an emergency."

The Speaker laid the bill before the House and it was read third time.

Mr. Merriman offered the following amendment to the bill:

Amend House bill No. 243, printed bill, by striking out the word "limit" in line 12, page 1, and insert in lieu thereof the following: "provide for."

The amendment was adopted.

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—114.

Adams.	Hendricks.
Aiken.	Hill.
Baker.	Horton.
Barrett of Bell.	Johnson
Barrett of Fannin.	of Gillespie.
Bass.	Jones.
Beasley	Kacir.
of Hopkins.	Kellis.
Beasley	King.
of McCulloch.	Kveton.
Beavens.	Lackey.
Binkley.	Laird.
Black, W. A.,	Lauderdale.
of Bexar.	Lawrence.
Bonham.	Lindsey.
Branch.	Looney.
Brown.	McCord.
Bryant.	McDaniel.
Burkett.	McFarlane.
Burmeister.	McKean.
Burns.	Malone.
Carpenter.	Marshall.
Childers.	Mathes.
Chitwood.	Melson.
Coffee.	Menking.
Cox.	Merriman.
Crawford.	Miller of Parker.
Cummins.	Moore.
Curtis.	Morris of Medina.
Darroch.	Morris
Dinkle.	of Montague.
Duffey.	Mott.
Duncan.	Neblett.
Edwards.	Owen.
Fly.	Patman.
Fugler.	Perkins
Garrett.	of Cherokee.
Greer.	Perkins of Lamar.
Grissom.	Perry.
Hall.	Pollard.
Hanna.	Pope.
Hardin.	Quaid.
Harrington.	Quicksall.
Henderson.	Quinn.
of McLennan.	Rice.
Henderson	Rogers of Harris.
of Marion.	Rogers of Shelby.

Rosser.	Thompson
Rountree.	of Harris.
Rowland.	Thompson
Schweppe.	of Red River.
Seagler.	Thorn.
Sims.	Thrasher.
Sneed.	Veatch.
Stephens.	Wadley.
Stevenson.	Walker.
Stewart	Wallace.
of Edwards.	Webb.
Stewart of Reeves.	Wessels.
Swann.	West.
Sweet of Brown.	Westbrook.
Sweet of Tarrant.	Williams
Teer.	of Montgomery.
Thomason.	Wright.

## Absent.

Baldwin.	Laney.
Barker.	Martin.
Black, O. B.,	Miller of Dallas.
of Bexar.	Morgan.
Davis, John E.,	Pool.
of Dallas.	Satterwhite.
Davis, John,	Smith.
of Dallas.	Thomas
Estes.	of Limestone.
Faubion.	Williams
Johnson of Ellis.	of McLennan.
Johnson	
of Wichita.	

## Absent—Excused.

Brady.	Leslie.
Crumpton.	McLeod.
Harrison.	Shearer.

## HOUSE BILL NO. 154 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 154, A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science, and for the military discipline of all students; conferring upon the Board of Directors of said college the right of eminent domain; making necessary appropriations for the location of said college, and declaring an emergency."

The bill having been read second time Saturday, February 26.

Mr. Hill offered the following amendment to the bill.

Amend House bill No. 154 by striking out all after the enacting clause and inserting in lieu thereof, the following:

Section 1. There shall be established in this State, in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel at such point and in the manner provided by this act, an agricultural college of the first class to be known as the West Texas Agricultural College, for white students.

Sec. 2. The Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Attorney General of Texas, and the Commissioner of Agriculture, and in the event that any of the above may not be able to serve, the Governor of the State of Texas then to fill said vacancy by appointment, shall constitute a commission whose duty it shall be to select a suitable location for said college, and which commission shall, as soon as practicable after this act shall become effective, visit in person and as a body, each of the several places in said region lying west of the ninety-eighth meridian and north of the thirtieth parallel, as such a commission may consider to be probably a proper location for said college, and thereafter, as soon as practicable, said commission or a majority thereof, shall decide upon and name the point where said college shall be located, and the Governor shall, as chairman of said commission, certify said decision to the Board of Directors of the Agricultural and Mechanical College of Texas. Such commissioners shall serve without compensation, but shall receive their full actual expenses incurred in carrying out their duties under this act.

Sec. 3. Such commission, in selecting a location for said college, shall choose such location as shall in their opinion enable the college to best serve the agricultural, live stock and educational interests of the territory above described. Such location shall be convenient and accessible to one or more lines of railway; there shall be available at such point of location one or more complements of lands, each such complements of land embracing not less than six hundred and forty acres, lying in one body or in contiguous tracts suitable for the purpose of such college, and which may be procured at a reasonable price, considered in connection with the value and surrounding and adjacent lands. But in no event shall the total sum to be paid for such site upon which said college is located exceed the sum of

fifty thousand (\$50,000) dollars; and provided further, that such commission shall not be influenced in any degree in the selection of such location by offers or promises of bonuses or gifts, direct or indirect, to the State of Texas or to said college, as a consideration for the location of said college at any particular place.

Sec. 4. The government and direction of the policy and control of the finances of such college shall be vested in the Board of Directors of the Agricultural and Mechanical College of Texas, until the Legislature shall provide otherwise.

Sec. 5. The leading object of such college shall be, without excluding military or any of the scientific and classical studies, to teach general college courses and such branches of learning as are related to agriculture, stock raising and domestic arts and sciences, in such manner as the Legislature may prescribe in order to promote the liberal and practical education of the industrial classes in their several pursuits and callings in life.

Sec. 6. It is hereby declared to be the intention of this act to create an agricultural college of the first class, and the board of directors of said college shall provide a course of instruction covering substantially the same subject matter as that provided at the present Agricultural and Mechanical College of Texas, located at College Station, with such modifications as may be necessary to render such college most useful and of the most practical benefit to the people residing in the territory described in Section 1 of this act, and to the people of Texas. Providing that mechanical courses may be offered at this college, but the time for establishing such course or courses of study, the extent thereof, and additions thereto, shall be left to the judgment of the Board of Directors of said college and subject to their discretion, control and judgment.

Sec. 7. All male students attending such college shall be required to receive such instruction in military science, and especially the cavalry division thereof, as the Board of Directors may require, and which shall at all times comply in full with the requirements of the United States government as a prerequisite to any aid now extended, or hereafter to be extended by the government of the United States to State colleges of this character; and all such students shall, during their attendance at such college, be subject to military discipline and control as the Board of Directors may prescribe.

Sec. 8. The Board of Directors of said Agricultural and Mechanical College of Texas shall have the power, and is hereby directed to purchase not less than six hundred and forty acres of land at the point of location selected by the commission hereinafter created, and make a preliminary survey for the purpose of placing the buildings and arranging the grounds of the school, and is hereby vested with the power of eminent domain, to acquire for the use of said college such land as may be necessary or proper, in addition to said six hundred and forty acres, for carrying out its purposes, by condemnation proceedings such as are now provided for railroad companies by Articles 6506 to 6530, inclusive, of the Revised Statutes of Texas of 1911.

Sec. 9. The following sums of money are hereby appropriated out of any public funds available for the purpose, for the carrying out of the purposes of this act, to-wit:

For the expenses of the locating commissioners, one thousand five hundred (\$1500) dollars, and for the purchase of lands and making a preliminary survey of such lands for the purpose of placing the buildings and arranging the grounds of the school by the Board of Directors of the Agricultural and Mechanical College of Texas, fifty thousand (\$50,000) dollars; but no appropriation shall be made at this time for buildings, necessary furniture and equipments, fixtures, live stock, etc., it being proposed to secure such appropriation from subsequent Legislatures.

Sec. 10. The importance of the early establishment of an agricultural and military college in the semi-arid region of West Texas, owing to the lack of higher educational facilities for young men in that portion of Texas, and the diversity of soil and climate, which requires special study, experiment and special instruction, which can not be provided by the existing Agricultural and Mechanical College of Texas at Bryan, as well as the great distance and expense of travel necessary for students from West Texas to receive instruction at the Agricultural and Mechanical College of Texas, at Bryan, rendering it impossible for many deserving young boys of West Texas to have the benefit of the excellent instruction there offered, creates an emergency and an imperative public necessity for this act to take effect at once, and the suspension of the constitutional rule requiring bills to be read on three several days; and it is therefore enacted that said rule be suspended, and

this act take effect and be in force from and after its passage.

Signed—Hill, Chitwood, Rowland.

Mr. Cox offered the following substitute for the amendments:

Amend House bill No. 154 by striking out all below the enacting clause and insert the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. That there shall be established in this State, in that portion of western Texas lying west of the ninety-eighth meridian and north of the twenty-ninth parallel at such point and in the manner provided by this act, an Agricultural and Mechanical College of the first class for white students, which shall be known as West Texas Agricultural and Mechanical College.

Sec. 2. In addition to the duties now fixed by law, it shall also be the duty of the board of directors of the Agricultural and Mechanical College of Texas to serve as the locating committee to locate said college within the territory mentioned in Section 1 hereof as provided herein as soon as practicable after this act shall become effective. In the event one or more members of said board of directors should reside in the territory designated in Section 1 hereof, then such director or directors may participate in all the proceedings with reference to locating said college, but said director or directors shall not be entitled to vote in the selection of the location for same, but the same shall be selected by vote of at least five members of said board of directors. Said board of directors shall forthwith thereafter certify its findings to the Governor of this State and to the Legislature of the State of Texas at the next regular or called session thereof after said location is made. The Legislature may at its next regular session, or at some called session of the Thirty-seventh Legislature, in the event said matter should be submitted to such called session by the Governor, make proper appropriations for the construction of buildings and other equipment necessary and essential for said college. Such board of directors shall receive no compensation for said services other than the expenses incurred by them as now provided by law when in the performance of their official duties.

Sec. 3. Such board of directors, in selecting a location for said college,

shall choose such site as in their opinion will enable said college to best serve the agricultural and educational interests of the territory above described. Such proposed location shall be convenient and accessible to one or more lines of railway; there shall be available at such point of location one or more complements of land, each of such complements of land embracing not less than two thousand acres, lying in one body or in contiguous tracts suitable for the purposes of such college, and which may be procured at a reasonable price considered in connection with the value of surrounding and adjacent lands; and considered in connection with the nature of the soil and the accessibility of said lands to transportation facilities and to a permanent water supply. But in no event shall the total sum contracted to be paid for such site upon which said college is proposed to be located exceed the sum of fifty thousand dollars (\$50,000). And provided further, that such board of directors shall not be influenced in any degree in the selection of such location by offers or promises of bonuses or gifts direct or indirect, to the State of Texas or to said college, as a consideration for the location of said college at any particular place. Said board of directors shall contract for the purchase of approximately one thousand acres of land for said site, for a consideration not to exceed fifty thousand dollars (\$50,000); but said money shall not be paid out till the Legislature has approved the action of said locating committee and provided other appropriations for permanent improvements; and said board of directors shall also procure options on such additional lands contiguous to the site selected as in the judgment of said board of directors may be essential for the uses and purposes of said college. Said board of directors is hereby vested with the power of eminent domain to acquire for the uses of said college such lands as may be necessary or essential for carrying out its purposes, by condemnation proceedings such as are now provided for railroad companies by Articles 6506 to 6530, inclusive, of the Revised Civil Statutes of Texas of 1911.

Sec. 4. The government and direction of policy and the control of the finances of such college shall be vested in the board of directors of the Agricultural and Mechanical College of Texas until otherwise provided by law.

Sec. 5. The leading object of said

college shall be, without excluding other scientific and classical studies, and including military tactics, to teach such branches of learning as are related to agricultural, industrial and mechanical arts and sciences, in such manner as the Legislature may prescribe, in order to promote the liberal and practical education of the industrial classes in their several pursuits and callings in life.

Sec. 6. It is hereby declared to be the intention of this act to create an Agricultural and Mechanical College of the first class, and the board of directors of the Agricultural and Mechanical College of Texas, and their successors, shall provide a course of instruction for said college covering such branches of instruction as in the judgment of said board of directors may be necessary to render such college most useful and of the most practical benefit to the people residing in the territory described in Section 1 of this act and to the people of Texas. The time for establishing such course or courses of study, the extension thereof, and additions thereto, shall be left to the judgment of the board of directors of the Agricultural and Mechanical College of Texas and their successors and subject to their control.

Sec. 7. All such white male students attending such college shall be required to receive such instruction in military science as the board of directors may require, and which shall at all times comply in full with the requirements of the United States government as a prerequisite to any aid now extended or hereafter to be extended by the Government of the United States to State colleges of this character; and all such white male students shall, during their attendance at such college, be subject to such military discipline and control as the board of directors may prescribe.

Sec. 8. Whenever said college shall have been located as provided in this act, it shall thereupon become the duty of the Attorney General of the State of Texas to examine the title to such lands as may have been purchased or otherwise acquired by said board of directors for the uses and purposes of said cause, and the Attorney General shall perform said services without any additional compensation.

Sec. 9. That the sum of fifty thousand dollars (\$50,000) or so much thereof as may be necessary is hereby appropriated out of any public funds not otherwise appropriated for the purpose of purchasing the lands provided

to be purchased in this act, and securing options as herein provided.

Sec. 10. The importance of the early establishment of an Agricultural and Mechanical College in the semi-arid region of West Texas, owing to lack of higher educational facilities for the youth in that portion of Texas, and the diversity of soil and climate which requires special study, experiment and special instruction which cannot be provided by the existing Agricultural and Mechanical College of Texas, as well as the great distance and expense of travel necessary for students from West Texas to receive instruction at the existing Agricultural and Mechanical College of Texas rendering it impossible for many deserving youths of West Texas to have the benefit of the excellent instruction there offered, creates an emergency and an imperative public necessity for this act to take effect at once, and for the suspension of the constitutional rule requiring bills to be read on three several days, and it is therefore enacted that said rule be suspended and that this act take effect and be in force from and after its passage.

Mr. Westbrook moved to table the bill.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—32.

Barrett of Bell.	Looney.
Barrett of Fannin.	McFarlane.
Beavens.	McKean.
Bonham.	Menking.
Burns.	Merriman.
Childers.	Morris
Davis, John E.,	of Montague.
of Dallas.	Mott.
Duncan.	Owen.
Edwards.	Schweppe.
Faubion.	Teer.
Garrett.	Walker.
Grissom.	Wessels.
Henderson	Westbrook.
of Marion.	Williams
Kveton.	of McLennan.
Lauderdale.	Williams
Lawrence.	of Montgomery.
Lindsey.	

Nays—89.

Adams.	Binkley.
Aiken.	Black, O. B.,
Barker.	of Bexar.
Bass.	Black, W. A.,
Beasley	of Bexar.
of Hopkins.	Branch.
Beasley	Brown.
of McCulloch.	Bryant.

Burkett.	Miller of Parker.
Burmeister.	Moore.
Carpenter.	Morris of Medina.
Chitwood.	Patman.
Coffee.	Perkins
Cox.	of Cherokee.
Crawford.	Perkins of Lamar.
Cummins.	Perry.
Curtis.	Pollard.
Darroch.	Pool.
Davis, John,	Pope.
of Dallas.	Quaid.
Dinkle.	Quicksall.
Duffey.	Quinn.
Estes.	Rice.
Fugler.	Rogers of Harris.
Greer.	Rogers of Shelby.
Hall.	Rosser.
Hanna.	Rowland.
Hardin.	Satterwhite.
Harrington.	Seagler.
Henderson	Sims.
of McLennan.	Smith.
Hendricks.	Sneed.
Hill.	Stevenson.
Horton.	Stewart
Johnson	of Edwards.
of Gillespie.	Stewart of Reeves.
Johnson	Swann.
of Wichita.	Sweet of Brown.
Jones.	Sweet of Tarrant.
Kacir.	Thomas
Kellis.	of Limestone.
King.	Thomason.
Lackey.	Thompson
Laird.	of Harris.
McCord.	Thompson
McDaniel.	of Red River.
Martin.	Thorn.
Marshall.	Thrasher.
Mathes.	Veatch.
Melson.	Wadley.
Miller of Dallas.	Wright.

Present—Not Voting.

Baker.	Rountree.
Fly.	

Absent.

Baldwin.	Neblett.
Laney.	Stephens.
Malone.	Webb.
Morgan.	West.

Absent—Excused.

Brady.	Leslie.
Crumpton.	McLeod.
Harrison.	Shearer.

Paired.

Mr. Wallace (present), who would vote "yea," with Mr. Johnson of Ellis (absent), who would vote "nay."

Question—Shall the substitute be adopted?

## BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 424, "An Act creating the Woodville Independent School District in Tyler county, Texas; defining its boundaries; providing for a board of trustees in said independent school district; conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining schoolhouses, maintaining public free schools, declaring valid the local maintenance tax heretofore voted and now in effect in the territory included in the school district hereby created; repealing all laws in so far as they conflict herewith, and declaring an emergency."

H. B. No. 435, "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 10 of the Acts of the Second Called Session of the Thirty-sixth Legislature, relating to the inspection of hides and animals, by striking therefrom the word 'Webb,' so as to include Webb among the counties subject to the provisions of Chapter 7, Title 125, of the Revised Civil Statutes of 1911, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency."

H. B. No. 466, "An Act to establish and redefine Rugby Common School District No. 40 of Red River county, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of schoolhouse bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this act in passing on the bond record made by virtue of said election for the issuance of said schoolhouse bonds; providing that said Rugby Common School District No. 40 in Red River county, Texas, shall be under the general laws of Texas with respect to common school districts when not in conflict with this act, and declaring an emergency."

H. B. No. 464, "An Act creating and

incorporating Cone Independent School District in Crosby county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and board of equalization; providing for the Cone Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Cone Common School District No. 5 in Crosby county; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 5; providing that title to all property now vested in Cone Common School District No. 5 shall on the passage of this act vest in Cone Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

H. B. No. 463, "An Act amending Chapter 39. Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock counties, by adding thereto after Section 15 thereof a new Section 15a, providing that said Lorenzo Independent School District shall assume any and all outstanding indebtedness and bonds and interest thereon existing at the time of the incorporation of said district, created by Lorenzo County Line Common School District No. 2; making all such indebtedness binding and valid obligation of the Lorenzo Independent School District; validating all acts of the board of trustees of the Lorenzo Independent School District in making payments either of principal or interest on any such indebtedness, and declaring an emergency."

H. B. No. 301, "An Act creating and incorporating Hale Center Independent School District in Hale county, Texas; defining its boundaries; vesting the title to all school property within its boundaries in said Hale Center Independent

School District and its board of trustees; fixing liability for all debts and contracts of such school; vesting the control of the public schools within said district in a board of seven trustees; continuing in office the board of trustees of the present Hale Center Independent School District until the expiration of their terms of office; abolishing all other boards of trustees; conferring upon said district and its board of trustees all rights, powers, privileges and duties as are conferred by the general laws upon independent school districts created for school purposes only under the general law; providing that local maintenance taxes and bonds voted by the qualified voters of Hale Center Independent School District and other districts included within the district hereby created are hereby continued in full force and effect; providing for an assessor and collector of taxes and board of equalization; providing that said independent school district shall be liable for its pro rata part of any outstanding bonded indebtedness upon a part of any territory taken from any other school district; providing for transportation of school children; providing this act to be cumulative of general law now in force or hereafter to be enacted governing independent school districts, and declaring an emergency."

H. B. No. 357, "An Act to amend Section 12 of Chapter 95 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, which was an act to create a road system for Navarro county, Texas, so as to more particularly define the membership of the boards of permanent road commissioners for road districts created in Navarro county, Texas."

H. B. No. 363, "An Act to create a more efficient and better road system for Brazos county, Texas; making county commissioners ex-officio road commissioners of their respective precincts; prescribing their duties of road overseers; providing a compensation of \$2.00 per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurer; providing for summoning of persons liable for road duty; providing that any person liable for road duty any year shall be exempt upon the payment of \$6.00 into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing for the condemning of any land necessary for road

purposes; providing this act is cumulative of the general laws, and fixing penalties, and declaring an emergency."

H. B. No. 241, "An Act to repeal Chapter 60 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, creating a special road system for Falls county, and declaring an emergency."

H. B. No. 336, "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, and declarin gan emergency."

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas prior to January 1, 1910; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (7c) cents on the \$100 valuation of property in this State for the payment of such pension; providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof.

H. B. No. 188, "An Act to amend Sections 2, 11, 13, 14, 15, 25 and 30 of Chapter 4 of the Special Laws of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road law for Llano county, Texas, and to provide for the appointment of a superintendent of public roads, highways and bridges for Llano county, and to provide his qualifications, terms of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners court of said county, and fixing the compensation of the commissioners for inspecting the roads in their respective precincts; providing for the appointment of road overseers, defining their duties, fixing their compensation for certain labor, and providing for punishment for violation of their duties; providing for persons subject to road duty in Llano county, and persons summoned to work the roads in said county to have the right to be relieved from the discharge

of such duties upon the payment of specific sums of money herein stipulated, and providing for the accounting for and disposition to be made of the money so paid, and declaring an emergency."

H. C. R. No. 30, Relating to reimbursement of federal cotton tax.

#### STATEMENT UNDER QUESTION OF PERSONAL PRIVILEGE.

Mr. Burkett, rising to a question of personal privilege, submitted the following statement:

Eastland, Texas, March 2, 1921.

Hon. Joe Burkett, care House of Representatives, Austin, Texas:

The following is a petition signed by two hundred or more representative citizens of the city of Eastland; could have secured practically the whole town if I had the time to do so. Starnes, Frost, and Been out of town.

We, the undersigned citizens of Eastland county, endorse the position taken by you respecting the presence of rangers in this county, and we know that your patriotism and loyalty during the late war was 100 per cent, and we deplore the fact that it had been questioned.

Robert D. Gordon, C. R. Starnes, Earl Conner, John D. McCrea, J. R. Frost, Geo. L. Davenport J. E. Lewis, H. B. Horn, C. P. Chastian, C. E. Winn, C. U. Connellee, J. A. Beard, H. S. Stubblefield, M. G. Robertson, E. H. Webb, J. W. Camp, W. I. Allison, J. D. Hilton, H. P. Brelsford, Jr., J. A. Cameron, F. Wesley, Gray Ray, A. Brown, W. H. Madden, Bennele Motley, Kirk Lyons, L. W. Forgason, C. Plummer, Harry Brelsford, Val Horn, Dr. H. B. Tanner, Jack Williamson, F. A. Beatty, H. P. Pentacost, F. W. Murphy, Wiley Harbin, J. H. Mitchell, E. O. Hardin, W. E. Ruttencutter, John H. Bowers, M. W. Hagul, H. C. O'Neill, C. A. Bunch, S. J. Hess, George A. Harrell, Frank Stewart, S. J. Nunnally, C. B. Pruett, R. D. Mahon, Roy Nunnally, L. C. Reed, Mrs. Frank T. Crowell, M. M. Jones, George Brogdon, Wm. H. Jennings, W. H. Sewell, A. R. Barb, P. L. Barb, J. C. Pipkin, J. L. Boggins, Tom Bell, C. C. Lowe, W. H. Lobaugh, E. A. Bills, H. A. Crowley, R. S. Farmer, Jr., G. M. Harris, E. A. Cofler, E. Westheimer, M. G. Ensinger, John Sayles, Perry Sayles, Tom Harrell, W. P. Littlejohn, Wyeth H. Jordan, H. L. McCune, E. Day, W. B. Wallace, D. L. Bassett, John Harrell, L. Funderburg, A. W. Costephus, C. M. Watson, J. B. Lewman, Geo. W. Sawyer, J. A. Skinner, Street Hill, L. W. Harrison, D. C. Green,

W. O. Thompson, A. B. Barrow, H. L. Binkley, H. C. Edwards, J. W. Mayo, Chas. Tunstall, C. D. Knight, L. L. Codell, Roy C. Griffin, F. E. Williamson, W. L. Miller, V. E. Ervin, R. Lester Foster, H. F. Ferrell, Elmer Downtain, W. A. James, J. C. Innman, C. A. Wilson, G. Edgraffenreid, J. P. Lament, W. W. Roberts, Oma Nations, N. L. Day, J. A. Stewart, E. B. Myrick, Willie Coby, Mrs. Francis Claybrook, Geo. Phillips, D. A. Lindsey, L. M. Pratt, L. L. Clardy, F. P. Murphy, F. E. Maxedon, George Weemes, O. E. Carlisle, Omar H. Burkett, W. Lander, D. W. Hill, F. J. Stubblefield, Inus F. Stubblefield, Guy T. McDonald, L. O. Brown, M. D., J. C. McAdams, J. W. Tinnel, W. C. Robertson, G. I. Halbrook, W. J. Rose, B. O. Mitchell, A. S. Crossly, E. Witt, S. A. Parker, Jr., J. W. Matthews, S. A. Parker, C. W. Stevenson, L. H. Nolley, M. M. Curtis, Jno. C. Curtis, B. R. Motley, J. M. Davis, T. W. Chambers, C. C. Cornelius, T. C. Nigh, O. S. Hawkins, J. R. Hurt, Jr., E. Smith, K. Lawson, J. W. Waddell, G. E. Campbell, Tate Merrett, A. B. Cornelius, J. B. Farmer, C. W. Hammond, W. E. Perry, G. J. Lambert, Harry Wood, J. L. Gattis, John Fehl, R. J. Cox, R. L. McClesky, Dan G. Howell, Sam O'Neal, M. J. Bourlant.

#### RECESS.

Mr. Wessels moved that the House recess to 1:30 o'clock p. m. today.

Mr. Pollard moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Pollard prevailed, and the House accordingly, at 12 o'clock m., took recess to 2 o'clock p. m. today.

#### AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by Speaker Thomas.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 12, A bill to be entitled "An Act to amend Chapter 8, Title 71, of the Revised Civil Statutes, providing for the incorporation, organization, regulation and supervision of mutual life insurance companies in this State, and providing penalties for the violation of this act."

H. B. No. 20, A bill to be entitled "An Act to amend Articles 586 and 587, Chapter 6, Title 11, of the Penal Code of the State of Texas, so as to provide a penalty for betting on all public elections, and defining public elections, and declaring an emergency."

H. B. No. 396, A bill to be entitled "An Act to amend Section 15, Chapter 9, of the Second Called Session of the Thirty-fifth Legislature of Texas, the same being 'An Act to create a special road law for Red River county'; providing in said amendment that the county surveyor of Red River county, Texas, shall be ex-officio county road superintendent for said county, and requiring a bond."

S. B. No. 100, A bill to be entitled "An Act to amend Article 6645, Title 115, Chapter 14, of the Revised Statutes of 1911 of the State of Texas, so as to abolish the defense of assumed risk as a bar to recovery in any suit against any corporation, receiver or person operating any railway, street railway or interurban railway in this State for damages for death or for personal injuries to employees thereof, and further defining and regulating the doctrine of contributory negligence in such cases, and declaring an emergency."

S. B. No. 175, A bill to be entitled "An Act changing the name of the Dallas County Criminal Court of Texas to 'The Dallas County District Court of Domestic Relations,' and restricting the jurisdiction in part, and providing for the transfer of cases between the Fourteenth, Forty-fourth and Sixty-eighth Judicial District courts; and providing for the Dallas County District Court of Domestic Relations to sit as a 'juvenile court' and increasing the number and duties of the probation officers of Dallas county; and repealing all laws in conflict herewith, and declaring an emergency."

S. B. No. 327, A bill to be entitled "An Act empowering and authorizing the county commissioners court of Bexar county to establish, maintain and operate a law library; authorizing the county commissioners court to appropriate the sum of twenty thousand dollars (\$20,000) or so much thereof as they deem necessary to properly maintain and establish said library, such law library being established primarily for the benefit of the judges of the Thirty-seventh, Forty-fifth, Fifty-seventh and Seventy-third Judicial Districts, the county judge of Bexar county, the county judge of Bexar county for civil cases, the county judge of Bexar county for criminal cases; providing it shall be es-

established in the county seat of Bexar county; providing all practitioners of the bar may use said library under conditions set out; providing county court shall select a law library board, being composed of county judge as chairman, one district judge and one reputable attorney; prescribing powers of said board, including their powers of recommendation, said board to receive no compensation; providing for the appointment of a law librarian and assistants and bonds for faithful performance shall be required for one year unless sooner terminated; providing that any reputable practicing attorney of Bexar county may use the said library; authorizing said commissioners court to receive gifts, title passing to county; setting out conditions of said gifts; providing county treasurer shall handle all funds as provided for other officials; providing that if any section shall be found unconstitutional it shall in nowise affect the remaining section, and declaring an emergency."

S. B. No. 223, A bill to be entitled "An Act to amend Article 4694 of the Revised Civil Statutes of the State of Texas of 1911, as amended by Chapter 143 of the Acts of the Regular Session of the Thirty-third Legislature, approved April 7, 1913, by giving a cause of action for injuries resulting in death against (1) any person, association of persons, joint stock company, corporation, trustee or receiver; (2) the proprietor, owner, charterer, hirer, trustee, receiver or other operator of any industrial or public utility plant, railroad, street railway, steamboat, stage coach, or other vehicle for the conveyance of goods or passengers, or any other machinery, where such injuries result from the negligence, wrongful act, neglect, unskillfulness, unfitness or default of such person, association of persons, joint stock company, corporation, trustee, receiver, owner, charterer, hirer or operator, his, its or their agent, or servants; providing that no agreement between an owner and any lessee, trustee, or other operator of any vehicle for the transportation of passengers or goods, or any industrial or public utility plant, or other machinery, shall release such owner, lessee, trustee, or other person from any liability fixed by the provisions of this act; repealing all laws in conflict herewith, providing that the invalidity of any provisions hereof shall not affect the remaining provisions, and declaring an emergency."

S. B. No. 312, A bill to be entitled "An Act to amend Article 1096d, Title 22, Chapter 17, Acts of 1913, relating to

the Home Rule Act, conferring powers on cities having more than five thousand inhabitants, and by adding thereto the hereinafter powers upon such cities, to regulate the location, size, height, bulk and use of buildings within certain zones or districts and to divide such cities into zones or districts, and to prescribe building lines and to authorize the creation of a board of review or appeals as may be deemed advisable in any charter adopted by any such city under the Home Rule provision of the Constitution."

H. B. No. 344, A bill to be entitled "An Act to create a more efficient road system for Bee county, Texas; making the county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, etc., and declaring an emergency."

H. C. R. No. 13, Joining the Legislatures of the several States of the Union in an application to Congress to submit a resolution to the several States proposing an amendment to the Constitution of the United States.

H. C. R. No. 22, Providing that it be a fixed policy of the State to carry its own insurance, with amendments.

H. C. R. No. 31, Permitting the judges of the Eighty-eighth and Ninety-first Judicial Districts to leave the State during the years 1921 and 1922.

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

BILL ORDERED NOT PRINTED.

On motion of Mr. Sweet of Brown, it was ordered that Senate bill No. 285 be not printed.

#### HOUSE BILL NO. 154 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 154, providing for the establishment of an Agricultural and Mechanical College in West Texas, with amendment by Mr. Hill and substitute by Mr. Cox for the amendment pending.

(Mr. Darroch in the chair.)

Mr. Cummins moved the previous question on the substitute, and the main question was ordered.

Mr. Johnson of Wichita moved to reconsider the vote by which the previous question was ordered and the motion to reconsider was lost.

Question recurring on the substitute, yeas and nays were demanded.

The substitute was adopted by the following vote:

## Yeas—80.

Adams.	Kellis.
Baldwin.	King.
Beasley	Lackey.
of Hopkins.	Laird.
Beasley	McCord.
of McCulloch.	McDaniel.
Beavens.	Malone.
Binkley.	Marshall.
Black, O. B.,	Mathes.
of Bexar.	Miller of Dallas.
Black, W. A.,	Miller of Parker.
of Bexar.	Moore.
Bonham.	Morris of Medina.
Branch.	Neblett.
Bryant.	Patman.
Burkett.	Perkins
Burmeister.	of Cherokee.
Burns.	Perkins of Lamar.
Carpenter.	Pool.
Chitwood.	Pope.
Coffee.	Quaid.
Cox.	Quinn.
Crawford.	Rice.
Cummins.	Rogers of Harris.
Darroch.	Rosser.
Davis, John,	Rowland.
of Dallas.	Satterwhite.
Dinkle.	Seagler.
Duffey.	Sims.
Duncan.	Smith.
Estes.	Stephens.
Fly.	Stewart
Fugler.	of Edwards.
Garrett.	Stewart of Reeves.
Hall.	Sweet of Brown.
Hardin.	Sweet of Tarrant.
Henderson.	Thomason.
of McLennan.	Thompson
Hendricks.	of Red River.
Hill.	Thorn.
Horton.	Thrasher.
Johnson	Wadley.
of Wichita.	Walker.
Jones.	Webb.
Kacir.	Wright.

## Nays—34.

Baker.	McFarlane.
Barker.	McKean.
Barrett of Bell.	Martin.
Barrett of Fannin.	Melson.
Bass.	Menking.
Childers.	Morris
Davis, John E.,	of Montague.
of Dallas.	Mott.
Edwards.	Owen.
Hanna.	Quicksall.
Henderson	Rountree.
of Marion.	Schweppe.
Kveton.	Sneed.
Lauderdale.	Swann.
Lawrence.	Teer.
Lindsey.	Thomas
Looney.	of Limestone.

Thompson  
of Harris.  
Wessels.  
West.  
Westbrook.

Williams  
of McLennan.  
Williams  
of Montgomery.

Present—Not Voting.

Curtis.  
Grissom.

Perry.  
Veatch.

Absent.

Aiken.  
Faubion.  
Greer.  
Harrington.  
Johnson  
of Gillespie.

Laney.  
Merriman.  
Morgan.  
Rogers of Shelby.  
Stevenson.

Absent—Excused.

Brady.  
Crumpton.  
Harrison.

Leslie.  
McLeod.  
Shearer.

Paired.

Mr. Pollard (present), who would vote "yea," with Mr. Brown (absent), who would vote "nay."

Mr. Wallace (present), who would vote "nay," with Mr. Johnson of Ellis (absent), who would vote "yea."

Mr. Hill moved to reconsider the vote by which the substitute was adopted and to table the motion to reconsider.

The motion to table prevailed.

## Reasons for Vote.

I vote "present" on House bill No. 154 and all amendments and substitutes thereto because I know that the overwhelming sentiment in my county is favorable to the present establishment of a West Texas A. & M. College; but in my judgment the State should not undertake to establish a new educational institution until it shall be able to properly care for those already established. I have not been directly instructed by my constituents, but will not vote against their wishes, neither can I vote for this bill against my settled convictions. Therefore my vote.

CURTIS.

I am voting for the Cox substitute for the reason that, since the substitute has been offered, it is my opinion that the Legislature will vote for no greater appropriation than is carried in that substitute.

It is my opinion that this Legislature should at this time pass the Hill substitute and would have done so had not the Cox substitute been offered.

The Cox substitute gave the enemies of the West Texas school a chance to sidetrack the measure.

I had rather have the Cox substitute than no recognition for West Texas, but think the substitute should not have been offered.

ROSSER.

Mr. Fly offered the following amendment to the amendment as substituted:

Amend the amendment as substituted by adding after the word (written) "improvements" at top of page 3 the following, viz.: "and provided that if the Legislature shall not approve the location and report of said locating board, then said conditional contract for purchase of land shall be null and void."

The amendment to the amendment as substituted was adopted.

Mr. Mathes moved the previous question on the pending amendment and the engrossment of the bill, and the main question was ordered.

Question recurring on the amendment as substituted and amended, it was adopted.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 154 was passed to engrossment by the following vote:

Yeas—68.

Adams.	Horton.
Binkley.	Johnson
Black, O. B.,	of Gillespie.
of Bexar.	Johnson
Black, W. A.,	of Wichita.
of Bexar.	Jones.
Bonham.	Kacir.
Branch.	Kellis.
Bryant.	King.
Burkett.	Laird.
Burmeister.	Lindsey.
Carpenter.	McCord.
Chitwood.	McDaniel.
Coffee.	Malone.
Cox.	Marshall.
Cummins.	Mathes.
Darroch.	Miller of Dallas.
Davis, John,	Miller of Parker.
of Dallas.	Morris of Medina.
Dinkle.	Perkins
Duffey.	of Cherokee.
Estes.	Pool.
Fly.	Pope.
Fugler.	Quaid.
Hall.	Quinn.
Hardin.	Rice.
Harrington.	Rosser.
Hendricks.	Rowland.
Hill.	Satterwhite.

Seagler.	Sweet of Tarrant.
Sims.	Thomason.
Smith.	Thompson
Stephens.	of Red River.
Stevenson.	Thorn.
Stewart	Thrasher.
of Edwards.	Wadley.
Stewart of Reeves.	Webb.
Sweet of Brown.	Wright.

Nays—48.

Baker.	Martin.
Baldwin.	Melson.
Barker.	Menking.
Barrett of Bell.	Merriman.
Barrett of Fannin.	Morris
Bass.	of Montague.
Beasley	Mott.
of Hopkins.	Owen.
Beasley	Patman.
of McCulloch.	Perkins of Lamar.
Beavens.	Quicksall.
Burns.	Rountree.
Childers.	Schweppe.
Crawford.	Sneed.
Davis, John E.,	Swann.
of Dallas.	Teer.
Duncan.	Thomas
Edwards.	of Limestone.
Faubion.	Thompson
Grissom.	of Harris.
Hanna.	Veatch.
Henderson	Walker.
of McLennan.	Wessels.
Henderson	West.
of Marion.	Westbrook.
Kveton.	Williams
Lawrence	of McLennan.
Looney.	Williams
McFarlane.	of Montgomery.
McKean.	

Present—Not Voting.

Curtis.	Moore.
Lackey.	Neblett.

Absent.

Aiken.	Perry.
Garrett.	Rogers of Harris.
Laney.	Rogers of Shelby.
Morgan.	

Absent—Excused.

Brady.	Leslie.
Crumpton.	McLeod.
Harrison.	Shearer.

Paired.

Mr. Lauderdale (present), who would vote "nay," with Mr. Greer (absent), who would vote "yea."

Mr. Pollard (present), who would vote "yea," with Mr. Brown (absent), who would vote "nay."

Mr. Wallace (present), who would

vote "nay," with Mr. Johnson of Ellis (absent), who would vote "yea."

#### Reasons for Vote.

I vote for House bill No. 154 on assurance that it is not intended that the appropriation shall be expended for location until the selection of the location and contract has been approved by an act of the Legislature.

#### BRYANT.

I vote "present" for the reason that the Cox substitute has not been read by myself nor any material percentage of the membership of the House, and for the further reason that proponents of the Cox substitute would not agree to defer consideration until the substitute could be printed in the Journal, in order to give the membership of the House an opportunity to properly consider same.

The Cox substitute calls for a \$50,000 appropriation with which to purchase a site for the West Texas A. & M., and, regardless of the Fly amendment, it is a technical legal question as to whether the Thirty-seventh Legislature enters into a contract for the property when the locating board makes its selection.

I do not oppose a West Texas A. & M., but when I vote for a bill carrying an appropriation for same I want an opportunity to study the bill, as I believe every member of the House should have.

#### MOORE.

I vote "nay" on House bill No. 154 as amended by the Cox substitute for the reason that I am in favor of an A. & M. College for West Texas as early as possible, and do not believe the Cox substitute is properly drawn to insure a location, in that the locating committee is authorized to select only one location and submit their recommendations to the Legislature. Should either the House or Senate reject the recommendation of the locating committee, such rejection will kill the bill and West Texas will have no A. & M. College, and we will be precisely where we are now and the whole proceeding will have to be threshed out again.

I favor the locating committee submitting to the Legislature at least three suitable locations from which the Legislature shall select what in its judgment is the best of the three locations submitted. Friends of the Cox measure object to such a plan, as I understand their contentions because it would precipitate a fight in the Legislature over

the selection of a location from the sites submitted by the locating committee. Are they afraid of a full discussion of the location in the Legislature? I believe such discussion would be beneficial and calculated to secure the best possible location for this important institution, and by such plan a definite location is assured by a method removed from possibility of criticism.

I would also favor submission of the question of location of this institution to a vote of the people of the defined region in West Texas, who are most concerned, believing such method preferable to location by a committee from East Texas, as the Cox plan provides.

I oppose playing politics in such an important matter. These are some of my reasons for opposing the plan suggested by Mr. Cox.

I had prepared an amendment to the Cox proposal, submitting the first mentioned plan, but was cut off from offering it by reason of the previous question being ordered, which cut off further amendments and further discussion.

#### BALDWIN.

Mr. Hill moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 571 ON SECOND READING.

On motion of Mr. Curtis, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 571, A bill to be entitled "An Act providing for a board of permanent road commissioners for any political subdivision or defined district of Denton county, Texas, to have charge of the expenditure of the proceeds of any road bonds voted by such political subdivision or defined district, and the construction of roads or highways with such proceeds in connection with the county commissioners of said political subdivision or defined district; providing for qualifications, compensation and bond of the members of such commission, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

#### HOUSE BILL NO. 24 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 24, A bill to be entitled "An Act to provide for the organization or admission and regulation of incorporated insurance companies other than life."

The bill was read third time.

Mr. Quinn offered the following amendment to the bill:

Amend House bill No. 24, Section 14, page 6, subdivision "E," by striking out lines 34, 35, 36 and 37, and inserting in lieu thereof the following: "If organized under the laws of any foreign government, shall make and maintain a deposit with the Treasurer of this State, for the benefit of the policy holders of such company, citizen or resident of this State, one hundred thousand dollars in cash or approved securities. The deposit shall be held, liable to pay the judgments of policy holders, and may be so decreed by the court adjudicating the same."

Mr. Williams of McLennan offered the following substitute for the amendment:

Amend House bill No. 24 by striking out the enacting clause.

(Speaker in the chair.)

Mr. Thompson of Harris moved the previous question on the pending amendments and the final passage of the bill and the main question was ordered.

Question first recurring on the amendment by Mr. Williams of McLennan to strike out the enacting clause of the bill, yeas and nays were demanded.

The amendment was lost by the following vote:

#### Yeas—70.

Baker.	Fly.
Barrett of Bell.	Garrett.
Barrett of Fannin.	Grissom.
Beasley	Hall.
of Hopkins.	Hanna.
Beasley	Henderson.
of McCulloch.	of McLennan.
Beavens.	Henderson
Black, O. B.,	of Marion.
of Bexar.	Johnson
Black, W. A.,	of Gillespie.
of Bexar.	Jones.
Branch.	Kellis.
Bryant.	King.
Burkett.	Kveton.
Burmeister.	Lauderdale.
Burns.	McCord.
Carpenter.	McFarlane.
Childers.	Menking.
Cox.	Merriman.
Crawford.	Moore.
Cummins.	Morris of Medina.
Darroch.	Morris
Duffey.	of Montague.
Edwards.	Owen.

Patman.  
Perkins  
of Cherokee.  
Perry.  
Pollard.  
Pool.  
Quaid.  
Quicksall.  
Rowland.  
Satterwhite.  
Seagler.  
Sims.  
Stephens.  
Stevenson.  
Stewart  
of Edwards.  
Swann.

Sweet of Brown.  
Teer.  
Thomas  
of Limestone.  
Thompson  
of Harris.  
Thrasher.  
Veatch.  
Wadley.  
Wallace.  
Wessels.  
West.  
Westbrook.  
Williams  
of McLennan.  
Williams  
of Montgomery.

#### Nays—43.

Adams.  
Baldwin.  
Binkley.  
Bonham.  
Chitwood.  
Coffee.  
Curtis.  
Davis, John,  
of Dallas.  
Duncan.  
Estes.  
Faubion.  
Fugler.  
Greer.  
Hardin.  
Hendricks.  
Hill.  
Horton.  
Johnson  
of Wichita.  
Kacir.  
Lackey.  
Laird.

Lawrence.  
Lindsey.  
McDaniel.  
McKean.  
Malone.  
Martin.  
Marshall.  
Miller of Dallas.  
Quinn.  
Rice.  
Rogers of Harris.  
Rosser.  
Schweppe.  
Smith.  
Sneed.  
Sweet of Tarrant.  
Thomason.  
Thompson  
of Red River.  
Thorn.  
Walker.  
Webb.  
Wright.

#### Absent.

Aiken.	Mathes.
Barker.	Melson.
Bass.	Miller of Parker.
Brown.	Morgan.
Davis, John E.,	Mott.
of Dallas.	Neblett.
Dinkle.	Perkins of Lamar.
Harrington.	Pope.
Johnson of Ellis.	Rogers of Shelby.
Laney.	Rountree.
Looney.	Stewart of Reeves.

#### Absent—Excused.

Brady.	Leslie.
Crumpton.	McLeod.
Harrison.	Shearer.

Question next recurring on the amendment by Mr. Quinn, it was lost. The House then refused to pass House bill No. 24.

Mr. Williams of McLennan moved to reconsider the vote by which the House refused to pass the bill and to table the motion to reconsider.

The motion to table prevailed.

#### HOUSE BILL NO. 46 ON THIRD READING.

On motion of Mr. Fly, by unanimous consent, the regular order of business was suspended to take up and have placed on its third reading and final passage,

H. B. No. 46, A bill to be entitled "An Act to amend Section 3 of Chapter 73 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, as amended by Chapter 113 of the General Laws of the Thirty-sixth Legislature, providing that the tax collector of each county shall transmit on Monday of each week, to the State Highway Department, fifteen per cent of the gross registration, chauffeur and transfer fees during the preceding week, and deposit the remaining eighty-five per cent in the county depository to the credit of the road and bridge fund of the county, to be expended by the commissioners court as is now; providing that all license fees collected on commercial and interurban commercial motor vehicles on a mileage basis shall be the property of the respective counties and be distributed in proportion to the mileage traveled in each county, and declaring an emergency, and also amending Section 5, Chapter 190, Acts of the Regular Session of the Thirty-sixth Legislature so as to provide that all salaries of employes of the State Highway Department, including engineer, shall be fixed by the Legislature."

The Speaker laid the bill before the House and it was read third time.

Mr. Lawrence moved to lay the bill on the table subject to call, and the motion was lost.

Mr. Fly offered the following amendments to the bill:

(1)

Amend House bill No. 46 by striking out Section 1 and inserting in lieu thereof the following:

"Section 1. That from and after the passage of this act it shall be the duty of the Legislature to make appropriations for, and it is hereby authorized to appropriate funds for the maintenance and running expenses of the Highway Department, and fix the compensation of the State Highway Engineer and all other employes of the State Highway

Department, and to determine the number of such employes.

"It shall be the duty of the State Board of Control to make contracts for equipment and supplies, including seals and number plates, required by law in the administration of the registration of licensed vehicles, and in the operation of said department, as provided in Chapter 190 of the General Laws of the Thirty-fifth Legislature, Regular Session. All moneys herein authorized to be appropriated for the operation of the State Highway Department, and the purchase of equipment required by said Chapter 190, shall be paid from the State Highway Fund authorized to be created by said Chapter 190; and all the remainder of said Highway Fund not so appropriated for the maintenance and operation of the said department shall be expended by the State Highway Commission for the furtherance of public road construction and the establishment of a system of State highways, as contemplated and set forth in the provisions of Chapter 190, General Laws of the Thirty-fifth Legislature, Regular Session, and acts amendatory thereof."

(2)

Amend House bill No. 46 by adding a new section, to be known as Section 2, as follows:

"Section 2. All laws or parts of laws in conflict herewith, are hereby repealed."

(3)

Amend House bill No. 46 by adding a new section, to be known as Section 3, for the emergency clause, as follows:

"Section 3. The fact that there is now no specific authority for the Legislature to determine the number of, and fix the compensation for, employes of the State Highway Department, and to purchase for such department equipment needed, as purchases are made for other State departments, and inasmuch as the exercise of such authority over the State Highway Department is in accordance with the declared policy of the State, creates an emergency and an imperative public necessity that the constitutional rule requiring all bills to be read on three several days in each house be suspended, and that this act take effect from and after its passage, and said rule is suspended, and it is so enacted."

(4)

Amend the caption of House bill No. 46 by substituting the following:

"A bill to be entitled 'An Act authorizing and directing the Legislature to fix the compensation of the State Highway Engineer and all other employes of the State Highway Department; authorizing the State Board of Control to contract for all equipment and supplies required by the provisions of Chapter 190 of the General Laws of the Thirty-fifth Legislature, Regular Session, in the operation of the said department; providing for the use of the Highway Department of the remainder of the Highway Fund not appropriated for salaries, supplies and maintenance of said department; repealing all laws and parts of laws in conflict herewith, and declaring an emergency.'"

Signed—Fly, Darroch.

The amendments were severally adopted.

Question—Shall the bill be passed?

The Clerk was directed to call the roll and the bill was passed by the following vote:

Yeas—119.

Adams.	Edwards.
Baker.	Estes.
Baldwin.	Faubion.
Barker.	Fly.
Barrett of Bell.	Fugler.
Barrett of Fannin.	Garrett.
Bass.	Greer.
Beasley	Grissom.
of Hopkins.	Hall.
Beasley	Hanna.
of McCulloch.	Hardin.
Beavens.	Henderson
Binkley.	of McLennan.
Black, O. B.,	Henderson
of Bexar.	of Marion.
Black, W. A.,	Hendricks.
of Bexar.	Hill.
Bonham.	Horton.
Branch.	Johnson
Bryant.	of Gillespie.
Burkett.	Jones.
Burmeister.	Kacir.
Burns.	Kellis.
Carpenter.	King.
Childers.	Laird.
Chitwood.	Lauderdale.
Coffee.	Lawrence.
Cox.	Lindsey.
Crawford.	Looney.
Cummins.	McCord.
Curtis.	McDaniel.
Darroch.	McFarlane.
Davis, John E.,	McKean.
of Dallas.	Malone.
Davis, John,	Martin.
of Dallas.	Marshall.
Duffey.	Mathes.
Duncan.	Melson.

Merriman.	Sneed.
Miller of Dallas.	Stephens.
Miller of Parker.	Stevenson.
Moore.	Stewart
Morris of Medina.	of Edwards.
Morris	Stewart of Reeves.
of Montague.	Swann.
Mott.	Sweet of Brown.
Neblett.	Sweet of Tarrant.
Owen.	Teer.
Patman.	Thomas
Perkins	of Limestone.
of Cherokee.	Thomason.
Perry.	Thompson
Pollard.	of Harris.
Pool.	Thompson
Pope.	of Red River.
Quaid.	Thorn.
Quicksall.	Thrasher.
Quinn.	Wadley.
Rice.	Walker.
Rogers of Harris.	Wallace.
Rosser.	Webb.
Rountree.	West.
Rowland.	Westbrook.
Satterwhite.	Williams
Schweppe.	of McLennan.
Seagler.	Williams
Sims.	of Montgomery.
Smith.	Wright.

Nays—2.

Kveton. Menking.

Present—Not Voting.

Veatch. Wessels.

Absent.

Aiken.	Lackey.
Brown.	Laney.
Dinkle.	Morgan.
Harrington.	Perkins of Lamar.
Johnson of Ellis.	Rogers of Shelby.
Johnson	
of Wichita.	

Absent—Excused.

Brady.	Leslie.
Crumpton.	McLeod.
Harrison.	Shearer.

RECESS.

Mr. Miller of Dallas moved that the House recess until 9:30 o'clock a. m. tomorrow.

Mr. Wright moved that the House adjourn until 4:35 o'clock p. m. Thursday, March 3.

Mr. Westbrook moved that the House recess until 8 o'clock p. m. today.

The motion of Mr. Miller of Dallas prevailed, and the House accordingly, at 4:35 o'clock p. m., took recess to 9:30 o'clock a. m. tomorrow.

## APPENDIX.

## STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills, as follows:

Insurance: Senate bill No. 288.

Appropriations: House bills Nos. 570, 297. Senate bills Nos. 313, 278.

Judiciary: Senate bills Nos. 242, 147, 258, 140, 225, 217.

Municipal and Private Corporations: Senate bill No. 112.

Constitutional Amendments: House Joint Resolution No. 29.

Judicial Districts: Senate bills Nos. 285, 213, House bill No. 565.

Roads, Bridges and Ferries: House bills Nos. 527, 508, 275, 571, Senate bills Nos. 51, 255.

Labor: Senate bill No. 41.

Live Stock and Stock Raising: Senate bills Nos. 265, 29.

Education: House bill No. 566.

Public Health: Senate bills Nos. 86, 197, 215, 198.

Criminal Jurisprudence: Senate bill No. 110.

Eleemosynary and Reformatory Institutions: Senate bill No. 264.

State Affairs: House bills Nos. 515, 280, Senate bills Nos. 180, 163, 196, 137, 205.

Banks and Banking: House bill No. 296.

Common Carriers: Senate bill No. 325.

The following standing committees filed adverse reports today on bills, as follows:

Game and Fisheries: House bill No. 492.

Appropriations: Senate bill No. 277, House bills Nos. 391, 238, 550, 280, House Concurrent Resolutions Nos. 16 and 18.

State Affairs: House bill No. 551, Senate bill No. 122.

Public Lands and Buildings: House bill No. 558.

## REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 30, Instructing and requesting our congressional delegation to urge upon Congress the reimbursement

to survivors of the Confederacy the cotton tax imposed upon the products of the soil by act of Congress in 1864, 1866 and 1867, and urging Congress to make such reimbursement,

Have carefully compared same and find it correctly enrolled, and have this day, at 4 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,

Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 424, "An Act creating the Woodville Independent School District in Tyler county, Texas; defining its boundaries; providing for a board of trustees in said independent school district; conferring upon said district and its board of trustees the rights, powers, privileges and duties now conferred and imposed by the general laws of the State upon independent school districts and the board of trustees thereof; providing for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining school-houses, maintaining public free schools, declaring valid the local maintenance tax heretofore voted and now in effect in the territory included in the school district hereby created; repealing all laws in so far as they conflict herewith, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,

Austin, Texas, March 2, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. J. R. No. 11, Proposing an amendment to Section 51 of Article 3 of the Constitution of the State of Texas to provide that the Legislature may grant pensions to Confederate soldiers, sailors and their widows, who have been citizens of Texas since prior to January 1, 1910; providing that all soldiers, sailors and their widows eligible under the provisions hereof shall be entitled to be placed upon the rolls and participate in the pension fund created hereunder; levying a tax of seven (\$.07) cents on the \$100 valuation of property

in this State for the payment of such pension; providing that the Legislature may reduce the rate of pension for such purpose; fixing a time for the election to be held on such amendment, and making an appropriation to pay the expenses thereof,

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas; March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 466, "An Act to establish and redefine Rugby Common School District No. 40 of Red River county, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of schoolhouse bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this act in passing on the bond record made by virtue of said election for the issuance of said schoolhouse bonds; providing that said Rugby Common School District No. 40 in Red River county, Texas, shall be under the general laws of Texas with respect to common school districts when not in conflict with this act, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m. presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 464, "An Act creating and incorporating Cone Independent School District in Crosby county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and board of equalization; providing for the Cone

Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Cone Common School District No. 5 in Crosby county; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 5; providing that title to all property now vested in Cone Common School District No. 5 shall on the passage of this act vest in Cone Independent School District as herein created; providing for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 463, "An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock counties, by adding thereto after Section 15 thereof a new section, 15a; providing that said Lorenzo Independent School District shall assume any and all outstanding indebtedness and bonds and interest thereon existing at the time of the incorporation of said district, created by Lorenzo County Line Common School District No. 2; making all such indebtedness binding and valid obligations of the Lorenzo Independent School District; validating all acts of the board of trustees of the Lorenzo Independent School District in making payments either of principal or interest on any such indebtedness, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 357, "An Act to amend Section 12 of Chapter 95 of the Local and Special Laws of the State of Texas, passed at the Regular Session of the Thirty-third Legislature, which was an act to create a road system for Navarro county, Texas, so as to more particularly define the membership of the boards of permanent road commissioners for road districts created in Navarro county, Texas,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 363, "An Act to create a more efficient and better road system for Brazos county, Texas; making county commissioners ex-officio road commissioners of their respective precincts; prescribing their duties of road overseers; providing a compensation of \$2 per day for overseers for each day's service per year in excess of five days; providing certain duties for county treasurer; providing for summoning of persons liable for road duty; providing that any person liable for road duty any year shall be exempt upon the payment of \$6 into the county treasury; providing for money payment in lieu of work after summons and before date of work; providing for the condemning of any land necessary for road purposes; providing this act is cumulative of the general laws, and fixing penalties, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 336, "An Act to amend Chapter 72 of the Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, creating the Dalhart Consolidated Independent School District in Dallam and Hartley counties, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 301, "An Act creating and incorporating Hale Center Independent School District in Hale county, Texas; defining its boundaries; vesting the title to all school property within its boundaries in said Hale Center Independent School District and its board of trustees; fixing liability for all debts and contracts of such school; vesting the control of the public schools within said district in a board of seven trustees; continuing in office the board of trustees of the present Hale Center Independent School District until the expiration of their terms of office; abolishing all other boards of trustees; conferring upon said district and its board of trustees all rights, powers, privileges and duties as are conferred by the general laws upon independent school districts created for school purposes only under the general law; providing that local maintenance taxes and bonds voted by the qualified voters of Hale Center Independent School District and other districts included within the district hereby created, are hereby continued in full force and effect; providing that said independent school district shall be liable for its pro rata part of any outstanding bonded indebtedness upon a part of any territory taken from any other school district; providing for transportation of school children; providing this act to be cumulative of general law now in force or hereafter to be enacted governing independent school districts, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 241, "An Act to repeal Chapter 60 of the Local and Special Laws of the Regular Session of the Thirty-sixth Legislature, approved March 13, 1919, creating a special road system for Falls county, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 435, "An Act to amend Article 7305 of the Revised Civil Statutes of the State of Texas, 1911, as the same was amended by Chapter 10 of the Acts of the Second Called Session of the Thirty-sixth Legislature, relating to the inspection of hides and animals, by striking therefrom the word 'Webb,' so as to include Webb among the counties subject to the provisions of Chapter 7, Title 124, of the Revised Civil Statutes of 1911, relating to regulations for the protection of stock raisers in certain localities, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to the Governor for his approval.

THRASHER, Vice Chairman.

Committee Room,  
Austin, Texas, March 3, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 188, "An Act to amend Sections 2, 11, 13, 14, 15, 25 and 30 of Chapter 4 of the Special Laws of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road law for Llano county, Texas, and to provide for the appointment of a superintendent of public roads, highways and bridges for Llano county, and to provide his qualifications, terms of office and salary, defin-

ing his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners court of said county, and fixing the compensation of the commissioners for inspecting the roads in their respective precincts; providing for the appointment of road overseers, defining their duties, fixing their compensation for certain labor, and providing for punishment for violation of their duties; providing for persons subject to road duty in Llano county, and persons summoned to work the roads in said county to have the right to be relieved from the discharge of such duties upon the payment of specified sums of money herein stipulated, and providing for the accounting for and disposition to be made of the money so paid, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled, and have this day, at 3 o'clock p. m., presented same to Governor for his approval.

THRASHER, Vice Chairman.

### THIRTY-FIFTH DAY.

(Continued.)

(Friday, March 4, 1921.)

The House met at 9:30 o'clock a. m., and was called to order by Speaker Thomas.

### HOUSE BILL NO. 25 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 25, A bill to be entitled "An Act to amend Article 7235, Chapter 6, Title 124, Revised Civil Statutes, 1911, as amended by Chapter 72, General Laws of the Thirty-third Legislature, and Chapters 26 and 99 of the General Laws of the Thirty-fourth Legislature, and Chapter 131, General Laws of the Thirty-fifth Legislature, and Chapter 10 of the General Laws of the Third Called Session of the Thirty-fifth Legislature, and Chapter 13 of the Fourth Called Session of the Thirty-fifth Legislature, and Chapter 35, General Laws of the Thirty-sixth Legislature, with reference to the mode of preventing horses and certain other animals from running at large in the counties named, so as to include Bowie and Marion counties, and declaring an emergency."

The bill was read third time.